

FILED

JUN 14 2016

Clerk, U.S. District Court
Texas Eastern

**United States District Court
EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

BLUE SPIKE, LLC §
vs. § **6:15CV584-RWS-CMC**
AUDIBLE MAGIC CORPORATION §

ORDER REGARDING SPECIAL MASTER FEES

On October 27, 2014, the Court appointed Professor Francis McGovern as Special Master in consolidated Cause No. 6:12cv499 (Doc. No. 1850). The Court ordered the parties to remit to Special Master McGovern their proportionate share of any Court-approved amount of his fees, within twenty days of Court approval.

On June 24, 2015, the Court vacated the October 9, 2012 Consolidation Order and closed Cause No. 6:12cv499. The Court ordered that Blue Spike and Audible Magic's claims be assigned to the newly-created above cause number. The Court further ordered that the Clerk of the Court add the Special Master to Cause No. 6:15cv584.

Attached to this Order as Appendix 1 are the following: (1) Professor McGovern's November 12, 2015 invoice for time and expenses relating to his services in this matter for the month of September 2015, totaling **\$6,822.48**; (2) Professor McGovern's January 4, 2016 invoice for time and expenses relating to services in this matter for October 2015 in the amount of \$9,642.08 and November 2015 in the amount of \$3,413.80 for a total of **\$13,055.88**; (3) Professor McGovern's January 28, 2016 invoice for time and expenses relating to his services in this matter for the month of December 2015, totaling **\$5,620.00**; and (4) Professor McGovern's February 28, 2016 invoice for time and expenses relating to his services in this matter for the

month of January 2016, totaling **\$3,412.73**.

Within twenty days from the date of entry of this Order of approval, Blue Spike shall pay Professor McGovern one half of the total expenses (\$14,455.55) and Audible Magic Corporation shall pay Professor McGovern one half of the total expenses (\$14,455.55) as outlined above.

If the parties have any questions about Professor McGovern's bills, they should contact his office at (202) 721-0954. It is hereby

ORDERED the parties shall remit payment of all amounts due to Professor McGovern within twenty (20) days of the date of this Order. Payments should be sent to Hon. Francis McGovern, 401 West Alabama St., Houston, TX 77006.

SIGNED this 14th day of June, 2016.



Caroline M. Craven
CAROLINE M. CRAVEN
UNITED STATES MAGISTRATE JUDGE